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JUN 14 2002

TECH CENTER 1600/2900

In Re Application of: **Klein et al.**

Group Art Unit: **1632**

Serial No.: **10/087,523**

Examiner: **Unassigned**

Filed: **February 28, 2002**

Attorney Docket: **MES-01-CON2**

For: **Methods Of Creating Constructs Useful For Introducing Sequences Into Embryonic Stem Cells**

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Corrected Application Papers dated March 27, 2002, Applicant respectfully requests entry of the following.

**In the Drawings**

Applicants submit 11 sheets of substitute drawings, Figures 1-8. Applicants believe that the attached substitute drawings are in compliance with 37 CFR § 1.84(e) and contain no new matter. Applicants respectfully request that the application continue to be examined on the merits.

Respectfully submitted,

Deltagen, Inc.

Date:

May 28, 2002

Mariette A. Lapis

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COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,523	JUN 11 2002 JUN 28/2002	Robert D. Klein	MES-01-CON2

DELTA GEN, INC.  
740 Bay Road  
Redwood City, CA 94063

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CONFIRMATION NO. 3478

FORMALITIES LETTER



\*OC000000007725193\*

Date Mailed: 03/27/2002

## NOTICE TO FILE CORRECTED APPLICATION PAPERS


### *Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

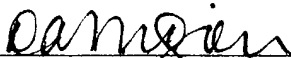
- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

<b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)</b> Applicant(s): Klein et al. <span style="float: right;">Docket No. MES-01-CON2</span>			
Serial No. 10/087,523	Filing Date February 28, 2002	Examiner Unassigned	Group Art Unit 1632
Invention: METHODS OF CREATING CONSTRUCTS USEFUL FOR INTRODUCING SEQUENCES INTO EMBRYONIC STEM CELLS			
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>RECEIVED</b>            JUN 14 2002            TECH CENTER 1600/2900         </div>			
<div style="text-align: center;">             COPY OF PAPERS              ORIGINALLY FILED           </div>			
<p>I hereby certify that this <u>RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS</u></p> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on <u>May 28, 2002</u></p> <p style="text-align: right;"><i>(Date)</i></p>			
<div style="text-align: right;"> <u>Deborah A. Mojarro</u>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i>    <i>(Signature of Person Mailing Correspondence)</i> </div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			